

REVIEW CRITERIA ANALYSIS

FOR THE FREDERICK WEST RV STORAGE WAIVER REQUEST

(1) The waiver, if granted, will not alter the essential character of the neighborhood or district in which the property is located, nor diminish the value, use or enjoyment of adjacent property.

Frederick West RV Storage is in a light industrial area. Of the neighboring businesses, at least 5 have fenced areas that include barbed wire. Many neighboring businesses do not have their equipment behind any kind of fence and to see trucks, trailers, piles of material, and heavy equipment is quite common.

The two strands of barbed wire at Frederick West RV Storage do not stand out; rather, they bring it more in line with the character of the neighborhood. Wood fences with 2 and 3 strands of barbed wire are common. Chain link with barbed wire is extensively used across the street. If our facility stands out for any reason, it is because its fence and landscaping are so well maintained.

Three out of four of our borders are roads or undeveloped land. To the West of our property is an open field. To the South, is a two lane road, Commerce Drive, then the Trans West Truck property. To the East is Johnson Drive then Greenleaf Construction Co.

The Carbon Valley Charter Academy shares our north property line. When CVA developed their play area and athletics fields, they did not to build a fence on their property line thereby saving themselves the expense of building a 300+ foot long fence. They have been using our north fence as a boundary. Our fence is not on the property line. It is 9' south of the property line due to a drainage pipe that was installed during our property development that extends the full length of that side of the property. With the height of our barbed wire being over 6' and the school's kids being under the age of 13, our extra security should have no impact on the student's enjoyment of the play area. Our fence is a cedar "no climb" fence, meaning, there are no horizontal fence posts that can be used to climb over any part of the outer fence. As a general matter, the kids should not be within 9 feet of the fence, let alone climbing it.

The wire is not hazardous to anyone other than individuals that are attempting illegal access to the property.

(2) The waiver, if granted, is the minimum variance that will afford relief and is the least modification possible of the subdivision ordinance provisions which are in question.

The owners of Frederick West RV Storage go out of their way to make and keep the exterior and interior of the lot aesthetically pleasing. The fence and landscaping were developed to code and have been meticulously maintained. This waiver requests that a discreet two strand barbed wire protection at the top of the cedar fencing around the storage property be allowed. The only variance being requested is for the wire. The primary fence is and will continue to be a well maintained six foot wood fence.

To a casual observer, what is noteworthy about the FWRVS property is how clean and well cared for it is, not the barbed wire. The wire is hardly noticeable. The only two groups who are likely to notice the barbed wire fence topper are [1] criminals and [2] customers of the facility. Barbed wire is a critical deterrent to those who may want to access the facility illegally. And, barbed wire is a security measure that protects the valuable property that is stored at our facility.

(3) Such practical difficulties or unnecessary hardship has not been created by the applicant.

The FWRVS facility satisfies a need for the communities of Fredrick, Firestone and Dacono. The residential developments in the tri-town area are well planned out and prohibit the parking and storage of recreational vehicles and boats, thus your local residents need a safe and secure place to store their vehicles so they will not be in violation of town ordinances.

Any business that has valuable property stored outside is attractive to criminals. We have taken many steps to discourage those with bad intent. The fence is not made to be easy to climb from the outside since all of the horizontal components are inside the fence thus preventing a ladder effect. The parking lot lights are left on during all hours of darkness at no small expense for utilities. Security cameras and an attractive electronic gate further serve as deterrents to thieves.

The existing code that prohibits barbed wire creates a hardship when it comes to protecting the property of our customers. We have taken every measure that we can to provide a safe place for tri-town citizens to store their recreational toys.

The two strands of barbed wire added to the Frederick West RV Storage perimeter fence discourage mischief, vandalism and theft. In July 2008 and January of 2010 thieves climbed the property fence and proceeded to break windows in 20+ vehicles to gain access to electronics

and other valuables causing thousands of dollars in damage. The barbed wire makes fence climbing less convenient and discourages that avenue of illegal entry.

Making crime more difficult is a benefit to the owners of the vehicles we store as well as to the entire community. The cost associated with a break-in becomes a direct cost to the community when its law enforcement resources are required to investigate. To examine a three acre lot with 207 vehicles looking for damage and vandalism is no small thing. Collecting evidence is a time consuming affair. Finger printing and report writing are also time intensive. Barbed wire will act as a deterrent to prospective vandal and thieves. Allow Frederick businesses to discourage theft and crimes are less likely to take place.

Please allow this business to provide the same security to those who store personal property as those who may have a business of selling the same type of property (trailers and RV's). The distinction between an overflow sales lot that contains new trailers and RVs for sale and a storage lot is pretty fine. Per the Town of Frederick codes, the former is permitted to have a more secure fence than the latter. The requested allowance for barbed wire creates minimal impact for law abiding citizens and significant preventative effect for criminals.